

VZCZCXYZ0001
OO RUEHWEB

DE RUEHC #0550 1622314
ZNR UUUUU ZZH
O 112249Z JUN 09
FM SECSTATE WASHDC
TO AMEMBASSY PARAMARIBO IMMEDIATE 0000

UNCLAS STATE 060550

SIPDIS

E.O. 12958: N/A

TAGS: [KTIP](#) [ELAB](#) [KCRM](#) [KPAO](#) [KWMN](#) [PGOV](#) [PHUM](#) [PREL](#) [SMIG](#) [NS](#)
SUBJECT: SURINAME -- 2009 TIP REPORT: PRESS GUIDANCE AND
DEMARCHÉ

REF: (A) STATE 59732 (B) STATE 005577

¶1. This is an action cable; see paras 5 through 7 and 10.

¶2. On June 16, 2009, at 10:00 a.m. EDT, the Secretary will release the 2009 Trafficking in Persons (TIP) Report at a press conference in the Department's press briefing room. This release will receive substantial coverage in domestic and foreign news outlets. Until the time of the Secretary's June 16 press conference, any public release of the Report or country narratives contained therein is prohibited.

¶3. The Department is hereby providing Post with advance press guidance to be used on June 16 or thereafter. Also provided is demarche language to be used in informing the Government of Suriname of its tier ranking and the TIP Report's imminent release. The text of the TIP Report country narrative is provided, both for use in informing the Government of Suriname and in any local media release by Post's public affairs section on June 16 or thereafter. Drawing on information provided below in paras 8 and 9, Post may provide the host government with the text of the TIP Report narrative no earlier than 1200 noon local time Monday June 15 for WHA, AF, EUR, and NEA countries and OOB local time Tuesday June 16 for SCA and EAP posts. Please note, however, that any public release of the Report's information should not/not precede the Secretary's release at 10:00 am EDT on June 16.

¶4. The entire TIP Report will be available on-line at www.state.gov/g/tip shortly after the Secretary's June 16 release. Hard copies of the Report will be pouched to posts in all countries appearing on the Report. The Secretary's statement at the June 16 press event, and the statement of and fielding of media questions by G/TIP's Director and Senior Advisor to the Secretary, Ambassador-at-Large Luis CdeBaca, will be available on the Department's website shortly after the June 16 event. Ambassador de Baca will also hold a general briefing for officials of foreign embassies in Washington DC on June 17 at 3:30 pm EDT.

¶5. Action Request: No earlier than 12 noon local time on Monday June 15 for WHA, AF, EUR, and NEA posts and OOB local time on Tuesday June 16 for SCA and EAP posts, please inform the appropriate official in the Government of Suriname of the June 16 release of the 2009 TIP Report, drawing on the points in para 9 (at Post's discretion) and including the text of the country narrative provided in para 8. For countries where the State Department has lowered the tier ranking, it is particularly important to advise governments prior to the Report being released in Washington on June 16.

¶6. Action Request continued: Please note that, for those countries which will not receive an action plan with specific recommendations for improvement, posts should draw host governments' attention to the areas for improvement identified in the 2009 Report, especially highlighted in the Recommendations section of the second paragraph of the narrative text. This engagement is important to establishing the framework in which the government's performance will be judged for the 2010 Report. If posts have questions about

which governments will receive an action plan, or how they may follow up on the recommendations in the 2009 Report, please contact G/TIP and the appropriate regional bureau.

17. Action Request continued: On June 16, please be prepared to answer media inquiries on the Report's release using the press guidance provided in para 11. If Post wishes, a local press statement may be released on or after 10:30 am EDT June 16, drawing on the press guidance and the text of the TIP Report's country narrative provided in para 8.

18. Begin Final Text of Suriname's country narrative in the 2009 TIP Report:

Suriname (TIER 2)

Suriname is a destination and transit country for men, women, and children from the Dominican Republic, Brazil, Guyana, Colombia, Haiti, Indonesia, Vietnam, and China trafficked for the purposes of commercial sexual exploitation and forced labor. Suriname is also a source country for women and children trafficked within the country for sexual exploitation and forced labor, as well as women trafficked transnationally for forced labor. Foreign trafficking victims are exploited in illegal urban brothels and the western district of Nickerie. Guyanese women and girls are forced into street prostitution and are trafficked into the sex trade near both legal and illegal gold mining camps in the Amazon jungle. At least one criminal network traffics Brazilian women among gold mining sites in both Suriname and French Guiana. Women from urban areas are recruited for domestic work at these mining camps and subsequently coerced into sexual servitude. Some Chinese men are subjected to forced labor in the construction industry, while some Chinese women are forced into prostitution in massage parlors and brothels. Chinese men and women are forced to labor in grocery stores. Some Haitian migrants transiting Suriname are forced to work in agriculture. Traffickers fraudulently promised at least 23 Surinamese women that they would be given well-paying jobs in Europe after finishing cooking school in Trinidad and Tobago. The women were intercepted in Curacao and returned to Suriname. Although Chinese organized crime units traffic some people to and through Suriname, most traffickers in Suriname operate through smaller, local networks.

The Government of Suriname does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. Despite significant resource constraints, the government increased anti-trafficking law enforcement actions, and modestly improved victim assistance and prevention efforts. Reports of officials' complicity in trafficking, however, continue and the government has made no efforts to reduce demand for commercial sex acts.

Recommendations for Suriname: Continue investigating, prosecuting, and adequately punishing trafficking offenders; investigate and prosecute corrupt public officials who allegedly facilitate trafficking; investigate reports of forced labor; consider measures to better protect both foreign and Surinamese trafficking victims; and sponsor public campaigns to reduce the demand for commercial sex acts.

Prosecution

The Surinamese government strongly increased its anti-trafficking law enforcement efforts over the last year. Suriname prohibits all forms of human trafficking through a 2006 amendment to its Criminal Code, which prescribes sufficiently stringent penalties of five to 20 years, imprisonment) penalties that are commensurate with those prescribed for other grave crimes. An interagency,

public-private working group (IWG) coordinates government efforts to investigate and prosecute traffickers. The public prosecutor reported nine trafficking arrests between March 2008 and February 2009. Three offenders were convicted: A Korean boat captain was sentenced to six years, imprisonment for the forced labor of four Vietnamese, and two nightclub owners, a Chinese and Brazilian couple, were convicted of trafficking nine Brazilian women into prostitution. The husband was sentenced to 12 months' and the wife to four months' imprisonment. A case with three defendants accused of trafficking a 16-year old Guyanese girl for sexual exploitation at a nightclub was before the courts in March 2009. Two additional cases are pending. The TIP Police Unit regularly inspected places where trafficking victims might be found, and conducted random brothel checks to ensure the women were not mistreated, no minors were present, and that owners did not keep the women's airline tickets and passports. The government requested the extradition of four Surinamers from Curacao, in connection with the probable trafficking of 21 Surinamese men and two women en route to Europe through Trinidad and Tobago; three more Surinamers were arrested in Suriname in connection with the case, and are in jail pending trial. Investigations continue in the case of 11 Indonesians rescued from forced labor at a motorbike assembly plant. The government initiated investigations of some Surinamese officials who reportedly facilitated trafficking into the country by accepting money and favors from suspected traffickers, though no prosecutions were begun.

Protection

The government continued to provide moderate protection for victims of trafficking during the year. The government provided free legal services to trafficking victims, and instituted a formal mechanism for referring victims to a local foundation which, in collaboration with the TIP Police Unit and the Ministry of Justice and Police, coordinates the provision of shelter, medical care, and psychological services to identified foreign and Surinamese victims. Surinamese law does not grant foreign victims temporary or permanent residency status or legal alternatives to removal to countries where they may face hardship or retribution, though victims who participated in law enforcement investigations and prosecutions were allowed to stay during these proceedings. There were reports that some foreign victims were incarcerated and deported for immigration violations, though identified foreign victims are generally not penalized for unlawful acts committed as a direct result of being trafficked. The same local foundation is charged with arranging shelter and services for as long as victims are needed for the investigation and court case, then works with embassy or consulate officials to arrange victims' repatriation. Foreign victims were required to remain in the country until they could issue a sworn statement and a judge determined that they could leave Suriname. Victims who had been found working illegally in Suriname could not seek temporary employment while awaiting trial proceedings. The Ministry of Justice and Police is reviewing draft legislation that would grant foreign victims legal resident status. The government encourages victims to assist in the investigation and prosecution of trafficking offenders. During the year, at least 28 victims cooperated with police. None chose to file a civil suit for restitution against their traffickers, although that option is available.

Prevention

The government continued its solid prevention efforts during the year. Senior officials continued to condemn and draw public attention to the problem of human trafficking in Suriname. The government ran an education campaign for journalists, religious groups, youth organizations, officials, labor unions, brothel owners, and NGOs, and conducted a specialized campaign in the Marowijne District. The IWG systematically monitored government anti-trafficking efforts. Immigration police monitored visa applications and ports of entry for patterns that might indicate trafficking.

Police closed a brothel in Nickerie district for exploiting a minor in prostitution. The Ministry of Labor along with the Youth Affairs section of the Police Force and the Commission for Child Rights educated and informed the public on the worst forms of child labor and child exploitation. The government made no discernable efforts to reduce demand for commercial sex acts.

¶9. Post may wish to deliver the following points, which offer technical and legal background on the TIP Report process, to the host government as a non-paper with the above TIP Report country narrative:

(begin non-paper)

-- The U.S. Congress, through its passage of the 2000 Trafficking Victims Protection Act, as amended (TVPA), requires the Secretary of State to submit an annual Report to Congress. The goal of this Report is to stimulate action and create partnerships around the world in the fight against modern-day slavery. The USG approach to combating human trafficking follows the TVPA and the standards set forth in the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime (commonly known as the Palermo Protocol). The TVPA and the Palermo Protocol recognize that this is a crime in which the victims, labor or services (including in the sex industry) are obtained or maintained through force, fraud, or coercion, whether overt or through psychological manipulation. While much attention has focused on international flows, both the TVPA and the Palermo Protocol focus on the exploitation of the victim, and do not require a showing that the victim was moved.

-- Recent amendments to the TVPA removed the requirement that only countries with a significant number of trafficking victims be included in the Report. Beginning with the 2009 TIP Report, countries determined to be a country of origin, transit, or destination for victims of severe forms of trafficking are included in the Report and assigned to one of three tiers. Countries assessed as meeting the minimum standards for the elimination of severe forms of trafficking set forth in the TVPA are classified as Tier 1. Countries assessed as not fully complying with the minimum standards, but making significant efforts to meet those minimum standards are classified as Tier 2. Countries assessed as neither complying with the minimum standards nor making significant efforts to do so are classified as Tier 3.

-- The TVPA also requires the Secretary of State to provide a Special Watch List to Congress later in the year. Anti-trafficking efforts of the countries on this list are to be evaluated again in an Interim Assessment that the Secretary of State must provide to Congress by February 1 of each year. Countries are included on the Special Watch List if they move up in tier rankings in the annual TIP Report -- from 3 to 2 or from 2 to 1) or if they have been placed on the Tier 2 Watch List.

-- Tier 2 Watch List consists of Tier 2 countries determined: (1) not to have made increasing efforts to combat human trafficking over the past year; (2) to be making significant efforts based on commitments of anti-trafficking reforms over the next year, or (3) to have a very significant number of trafficking victims or a significantly increasing victim population. As indicated in reftel B, the TVPRA of 2008 contains a provision requiring that a country that has been included on Tier 2 Watch List for two consecutive years after the date of enactment of the TVPRA of 2008 be ranked as Tier **¶13**. Thus, any automatic downgrade to Tier 3 pursuant to this provision would take place, at the earliest, in the 2011 TIP Report (i.e., a country would have to be ranked Tier 2 Watch List in the 2009 and 2010 Reports before being subject to Tier 3 in the 2011 Report). The new law allows for a waiver of this provision for up to two additional years upon a

determination by the President that the country has developed and devoted sufficient resources to a written plan to make significant efforts to bring itself into compliance with the minimum standards.

-- Countries classified as Tier 3 may be subject to statutory restrictions for the subsequent fiscal year on non-humanitarian and non-trade-related foreign assistance and, in some circumstances, withholding of funding for participation by government officials or employees in educational and cultural exchange programs. In addition, the President could instruct the U.S. executive directors to international financial institutions to oppose loans or other utilization of funds (other than for humanitarian, trade-related or certain types of development assistance) with respect to countries on Tier 3. Countries classified as Tier 3 that take strong action within 90 days of the Report's release to show significant efforts against trafficking in persons, and thereby warrant a reassessment of their Tier classification, would avoid such sanctions. Guidelines for such actions are in the DOS-crafted action plans to be shared by Posts with host governments.

-- The 2009 TIP Report, issuing as it does in the midst of the global financial crisis, highlights high levels of trafficking for forced labor in many parts of the world and systemic contributing factors to this phenomenon: fraudulent recruitment practices and excessive recruiting fees in workers, home countries; the lack of adequate labor protections in both sending and receiving countries; and the flawed design of some destination countries, sponsorship systems that do not give foreign workers adequate legal recourse when faced with conditions of forced labor. As the May 2009 ILO Global Report on Forced Labor concluded, forced labor victims suffer approximately \$20 billion in losses, and traffickers, profits are estimated at \$31 billion. The current global financial crisis threatens to increase the number of victims of forced labor and increase the associated cost of coercion.

-- The text of the TVPA and amendments can be found on website www.state.gov/g/tip.

-- On June 16, 2009, the Secretary of State will release the ninth annual TIP Report in a public event at the State Department. We are providing you an advance copy of your country's narrative in that report. Please keep this information embargoed until 10:00 am Washington DC time June 16. The State Department will also hold a general briefing for officials of foreign embassies in Washington DC on June 17 at 3:30 pm EDT.

(end non-paper)

¶10. Posts should make sure that the relevant country narrative is readily available on or though the Mission's web page in English and appropriate local language(s) as soon as possible after the TIP Report is released. Funding for translation costs will be handled as it was for the Human Rights Report. Posts needing financial assistance for translation costs should contact their regional bureau's EX office.

¶11. The following is press guidance provided for Post to use with local media.

Q1. Why is Suriname again given a ranking of Tier 2?

¶A. The Government of Suriname does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. Despite its considerable resource constraints, the government increased anti-trafficking law enforcement actions, and modestly improved victim assistance and prevention efforts in the past year. Reports of officials, complicity in trafficking, however, continue and the government has made no efforts to reduce demand for commercial sex acts.

